

Message Text

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 4101

C O N F I D E N T I A L SECTION 1 OF 4 SANTIAGO 2539

E. O. 11652: GDS

TAGS: SHUM, PINT, PGOV, CI

SUBJECT: HUMAN RIGHTS IN CHILE, MARCH 1976 - MARCH 1977

REFS: (A) STATE 020325, (B) SANTIAGO 0924

1. REF A STATED THAT CONGRESS MIGHT REQUEST AN UNCLASSIFIED OVERVIEW OF THE HUMAN RIGHTS SITUATION IN CHILE, EVEN THOUGH SUCH A REPORT IS NOT REQUIRED BY CURRENT LEGISLATION. IN REF B THE EMBASSY OFFERED TO PROVIDE A LARGELY UNCLASSIFIED REPORT. FOLLOWING IS OUR DRAFT, WHICH WE BELIEVE SHOWS A BALANCED PICTURE OF THE LOCAL SCENE AND COULD BE MADE AVAILABLE WITHOUT COMPROMISING SOURCES. NONETHELESS, WE HAVE CLASSIFIED IT BECAUSE OF THE SENSITIVE NATURE OF THE EXISTANCE OF SUCH A REPORT, AND BECAUSE THE DEPARTMENT MAY CONSIDER THAT THE WHOLE OR PARTS OF IT ARE NOT UNCLASSIFIED. WE ARE PREAPRED TO STAND BY THE REPORT'S ACCURACY AND VALUE JUDGMENTS, BUT WE ANTICIPATE SHARP REACTION FROM THE GOC SHOULD IT BE MADE AVAILABLE PUBLICLY. ACCORDINGLY, WE REQUEST THAT THE REPORT, AS UTILIZED AFTER ANY CHANGES DEPARTMENT MAY WISH TO MAKE, NOT BE ATTRIBUTED TO THE EMBASSY. THE FINISHED REPORT SHOULD BE A US EXECUTIVE BRANCH PRODUCT.

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2. THE BILATERAL RELATIONSHIP HAS DETERIORATED SINCE WE MADE OUR JUDGMENT IN REF B, AND THE CHANCES ARE GREATER NOW THAT PUBLICATION WOULD BE COUNTERPRODUCTIVE AS CONCERNS THE IMPROVEMENT OF HUMAN RIGHTS PRACTICES IN CHILE. WE BELIEVE THAT THE REPORT SHOULD BE USED AS PART OF A WELL CONCEIVED APPROACH TO THE GOC. WE THEREFORE RECOMMEND THAT THE REPORT NOT BE TRANSMITTED TO CONGRESS AT THIS STAGE, UNLESS CLEARLY AND

SPECIFICALLY DEMANDED BY CONGRESS.

3. HUMAN RIGHTS IN CHILE: MARC '76 - MARCH '77. PART I,
POLITICAL SITUATION:

THE COMMANDERS-IN-CHIEF OF THE THREE ARMED SERVICES AND THE UNIFORMED POLICE (CARABINEROS) ASSUMED CONSTITUENT, LEGISLATIVE AND EXECUTIVE POWERS AS A JUNTA ON SEPTEMBER 11, 1973. ARMY GENERAL AUGUSTO PINOCHET LEADS THE JUNTA. IN DECEMBER 1974. HE FORMALLY BECAME PRESIDENT OF THE REPUBLIC AND NOW EXERCISES THE EXECUTIVE POWER.

THE GOVERNMENT HAS FOLLOWED AN AMBITIOUS PROGRAM DESIGNED TO RESHAPE THE SOCIO-ECONOMIC AND POLITICAL STRUCTURE OF CHILE. SO FAR, THE JUNTA HAS ISSUED FOUR CONSTITUTIONAL ACTS, THE FIRST INSTALLMENTS IN THE PROJECTED REPLACEMENT OF THE 1925 CONSTITUTION: THEY DEFINE THE FUNDAMENTAL THEORY OF GOVERNMENT, DESCRIBE THE RIGHTS AND DUTIES OF THE CITIZENRY, OUTLINE THE TYPE AND RANGE OF EMERGENCY POWERS, AND CREATE AN APPOINTIVE ADVISORY BODY TO THE PRESIDENT -- THE COUNCIL OF STATE. ACCORDING TO ITS STATEMENTS AND AS REFLECTED IN THE CONSTITUTIONAL ACTS, THE GOVERNMENT SEEKS TO CREATE A FORM OF AUTHORITARIAN DEMOCRACY INSTITUTIONALLY ORGANIZED TO PROTECT ITSELF FROM COMMUNISM AS MANIPULATED BY THE SOVIET UNION. THE JUNTA HAS SAID IT WILL STEP DOWN ONCE ITS JOB IS DONE, BUT IT HAS SET NO TIMETABLE, SINCE IT CANNOT CONTRAL MANY FACTORS INFLUENCING THE PACE OF REFORM.

4. LEGAL SITUATION:

ON MARCH 11, 1977, THE JUNTA RENEWED FOR SIX MORE MONTHS A STATE OF SIEGE AT THE LEVEL OF INTERNAL COMMOTION. THE GOVERNMENT HAD DROPPED TO THIS, THE THIRD OF FOUR LEVELS OF STATE OF
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SIEGE, IN SEPTEMBER 1975. IN A RELATED MOVE, THE GOVERNMENT POSTPONED THE ENTRY INTO FORCE OF A NEW EMERGENCY POWERS ACT AND EXTENDED FOR 180 DAYS THE DEADLINE FOR PUBLISHING IMPLEMENTING REGULATIONS. SO FAR THE CONSTITUTIONAL ACTS OF SEPTEMBER 197# HAVE HAD LITTLE PRACTICAL EFFECT ON CHILEAN JURISPRUDENCE. A JANUARY 31 AMENDMENT OF ONE OF THE CONSTITUTIONAL ACTS AIMED AT REMOVING RECOURSE DURING PERIODS OF EMERGENCY TO THE RIGHT OF PROTECTION PROVIDED ON ONE OF THE SEPTEMBER ACTS; IT ALSO HAD THE EFFECT OF REOPENING THE WAY FOR THE COURTS TO ENTERTAIN HABEAS CORPUS PETITIONS. ON MARCH 12 THE GOVERNMENT DISSOLVED THE REMAINING POLITICAL PARTIES AND STRENGTHENED SANCTIONS AGAINST ALL PARTISAN POLITICAL ACTIVITY -- PREVIOUSLY ONLY MARXIST PARTIES HAD BEEN BANNED, THE OTHERS BEING KEPT IN "RECESS." SIMULTANEOUSLY, THE GOVERNMENT REQUIRED PRIOR AUTHORIZATION FOR NEW PUBLICATIONS AND FOR IMPORTATION OF PRINTED MATERIALS. THE CIVILIAN JUDICIARY, AN INDEPENDENT BRANCH OF GOVERNMENT, SINCE THE COUP HAS TAKEN A NARROW VIEW OF ITS POWERS DURING GOVERNMENT-DECREED PERIODS OF EMERGENCY. IT HAS RECENTLY DESIGNATED SPECIAL INVESTIGATIVE JUDGES TO LOOK INTO SEVERAL CASES INVOLVING PEOPLE MISSING UNDER

MYSTERIOUS CIRCUMSTANCES, SO FAR WITHOUT RESULT.

5. PART III, OBSERVANCE OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.

A. INTEGRITY OF THE PERSON.

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FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 4102

C O N F I D E N T I A L SECTION 2 OF 4 SANTIAGO 2539

(1) RIGHT TO LIFE: NATIONAL AND INTERNATIONAL GROUPS CONTINUE TO REQUEST FROM THE GOVERNMENT AN ACCOUNTING FOR PEOPLE MISSING UNDER MYSTERIOUS CIRCUMSTANCES. ACCORDING TO THESE GROUPS, PEOPLE CONTINUED TO DISAPPEAR AS LATE AS MID-DECEMBER 1976; NONE IS REGISTERED SO FAR IN 1977. TOTAL NUMBERS VARY, BUT SOME SOURCES CLAIM AS MANY AS 1500 SINCE THE COUP, AND ABOUT 100 DURING 1976. THE COURT HAS LEFT OPEN ITS INQUIRY INTO THE CASE OF A WOMAN (MARTA UGARTE) WHOSE MUTILATED BODY APPEARED ON A BEACH A MONTH AFTER HER DISAPPEARANCE IN AUGUST 1976. THE GOVERNMENT HAS LOCATED SOME OF THOSE NAMED ON EARLIER LISTS AND HAS PRODUCED RECORDS SHOWING THAT PERSONS IDENTIFYING THEMSELVES AS THOSE SAID TO BE MISSING HAVE TRAVELLED ABROAD, SPECIFICALLY TO ARGENTINA. ARGENTINE AUTHORITIES HAVE PRODUCED RECORDS SHOWING ENTRY OF AT LEAST FIVE PERSONS BEARING SUCH IDENTIFICATION. THE GOVERNMENT ALSO STATED THAT SOME OF THOSE NOW MISSING MAY HAVE GONE UNDERGROUND OR FLED CHILE SECRETLY, OR USED FALSE IDENTITY DOCUMENTS -- AND REMAIN HIDDEN TO EMBARRASS THE GOVERNMENT. THE COURTS HAVE RULED THAT THE GOVERNMENT ILLEGALLY DETAINED CARLOS CONTRERAS, MISSING SINCE NOVEMBER 1976, AND HAVE INSISTED THAT HE BE ACCOUNTED FOR.

(2) CRUEL, INHUMANE OR DEGRADING TREATMENT OR TORTURE:
CREDIBLE REPORTS OF ABUSE, TORTURE OR MISTREATMENT OF DETAINEES
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BECAME MUCH LESS FREQUENT DURING THE PAST YEAR WHEN COMPARED WITH PREVIOUS PERIODS. INDEED, THE PRESIDENT OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS, IN THE FALL OF 1976, SPECIFICALLY ACKNOWLEDGED THE GOVERNMENT'S WILLINGNESS TO PERMIT ON-SITE VISITS BY RED CROSS REPRESENTATIVES AND NOTED IMPROVED CONDITIONS IN OFFICIALLY ACKNOWLEDGED PLACES OF DETENTION AND IMPRISONMENT. EMPOWERED BY SUPREME DECREE 187 OF JANUARY 1976, THE CHILEAN MINISTER OF JUSTICE AND INDEPENDENTLY, THE PRESIDENT OF THE SUPREME COURT, INSPECTED OFFICIAL DETENTION CENTERS AND HELD LONG CONVERSATIONS WITH DETAINEES, AND PAID VISITS TO CERTAIN OTHER SITES WIDELY SAID TO HAVE BEEN USED AS DETENTION CENTERS (THEY FOUND NO DETAINEES AT THE LATTER). FOLLOWING THE RELEASE IN NOVEMBER/DECEMBER 1976 OF ALL BUT ONE OF THE LAST GROUP OF PERSONS OFFICIALLY DETAINED UNDER STATE OF SIEGE AUTHORITY, SOME GROUPS INTERESTED IN THE CHILEAN HUMAN RIGHTS SITUATION RECEIVED REPORTS FROM THE EX-DETAINEES ABOUT ALLEGED MISTREATMENT AT UNAUTHORIZED SITES DURING THEIR DETENTION. OF COURSE, UNTIL THE SITUATION OF CONTRERAS, UGUARTE AND OTHER MISSING PERSONS SOUGHT BY THE COURTS IS CLARIFIED, NO BLANKET STATEMENTS CAN BE MADE. HOWEVER, THERE IS NO EVIDENCE THAT TORTURE IS WIDESPREAD OR INSTITUTIONALIZED IN CHILE AT THIS TIME. THE GOC HAS STATED THAT NEARLY ONE HUNDRED PEOPLE HAVE UNDERGONE INSTITUTIONALIZED IN THILE AT THIS TIME. THE GOC HAS STATED THAT MEARLY ONE HUNDRED PEOPLE HAVE UNDERGONE INVESTIGATION ON CHARGES THAT THEY ABUSED PRISONERS; SOME 40 OF THEM WERE SAID TO HAVE BEEN CONVICTED, AND TRIALS AGAINST OTHERS WERE THOUGHT TO BE IN PROCESS. THE GOC DOES NOT DIVULGE THE NAMES OR DETAILS OF THOSE INVOLVED IN THESE INVESTIGATIONS IN ORDER TO REDUCE THE POSSIBILITY OF REPRISALS.

(3) ARREST/DETENTION:

TABLES I AND II BELOW SHOW THE FAVORABLE CHANGE DURING THE PAST 14 MONTHS IN THE NUMBERS OF PERSONS THE GOC ACKNOWLEDGES HOLDING: (A) IN PREVENTIVE DETENTION UNDER EMERGENCY AUTHORITY; (B) AWAITING TRIAL BEFORE THE COURTS (PRINCIPALLY MILITARY); AND (C) SERVING SENTENCES FOLLOWING CONVICTION. IT SHOULD BE NOTED THAT THE PERSONS IN TRIAL STATUS OR CONVICTED GENERALLY HAVE

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BEEN CHARGED WITH VIOLATION OF ARMS CONTROL LAWS PASSED PRIOR TO THE SEPTEMBER 1973 COUP. THE DATA FOR THE TABLES CAME FROM THE GOVERNMENT; THEIR ACCURACY HAS NOT BEEN SERIOUSLY CHALLENGED, EXCEPT BY THOSE WHO WOULD INCLUDE MISSIONING PERSONS. THE SINGLE PERSON KNOWN HELD IN PREVENTIVE DETENTION IS JORGE MONTES, WHOM THE GOC HAS OFFERED TO RELEASE SHOULD THE CUBAN GOVERNMENT FREE HUBERT MATOS

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FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 4103

C O N F I D E N T I A L SECTION 3 OF 4 SANTIAGO 2539

TABLE I

NUMBERS # OFFICIALLY DETAINED PLUMMET

CATEGORIES	NOV 1975	,9; 1976	JAN 1977
I DETAINED			
W/O CHARGE	512	280	1
II BEING TRIED;			
APPEALING	1398	280	90
III CONVICTED	2117	608	379
TOTALS	4027	1168	470

SOURCE GOC FIGURES

TABLE II LISTS THE KNOWN RELEASED ANNOUNCED BY THE GOC DURING 1976. OTHERS MAY HAVE BEEN FREED WITHOUT FANFARE; SOME SERVED OUT THEIR TRMS DURING 1976 (MANY DETAINED RIGHT AFTER THE COUP RECEIVED THREE-YEAR SENTENCES WHICH EXPIRED IN SEPTEMBER 1976). THE DATA ALSO INDICATE THAT THE GOVERNMENT PROCESSED OR DROPPED MANY CASES WHICH HAD BEEN UNDER INVESTIGATION. THE FIGURES INDICATE THAT, EXCLUDING PEOPLE DETAINED BRIEFLY, THOSE NEVER FORMALLY PROCESSED IN PREVENTIVE DETENTION, AND THOSE FREED WITHOUT PUBLICITY, SOME 300 PERSONS WERE PLACED IN PREVENTIVE DETENTION BETWEEN NOVEMBER 1975 AND NOVEMBER 1976. THIS REPRESENTS A DECLINE WHEN COMPARED WITH PREVIOUS PERIODS.

TABLE II

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RELEASED DURING 1976.

DETAINEES	TOTALS	
APRIL 29, 1976	3	
MAY 1* 1976	46	
MAY 19, 1976	50	
MAY 25, 1976	205	
SEPTEMBER 15, 1976	205	
NOVEMBER 17-18, 1976	305	
NOVEMBER/DECEMBER, 1976	17	831
INTERNAL BANISHMENT		
NOVEMBER 1976	198	198
COMMUTATIONS		
JAN/DECEMBER 1976	749	749
(PLUS 169 APPROVED AND AWAITING VISAS)		1778

DURING 1976 THE GOC INVOKED EMERGENCY POWERS TO EXPEL WITHOUT NOTICE TWO PROMINENT LAWYERS, BOTH OF THEM ANTI-MARXIST HUMAN RIGHTS ACTIVISTS, AND A LAWYER WHO HAD WORKED ON THE STAFF OF A HUMAN RIGHTS ORGANIZATION DISBANDED IN LATE 1975. THE GOVERNMENT ALSO STRIPPED CHILEAN CITIZENSHIP FROM THREE CRITICS OF THE GOVERNMENT

LIVING ABROAD, INCLUDING ORLANDO LETELIER.

(4) TRIALS

JUDICIAL PROCEEDINGS IN POLITICAL-RELATED INCIDENTS HAVE HERETOFORE BEEN LARGELY HEARD IN THE MILITARY COURT SYSTEM, WHERE FORMAL DUE PROCESS AND HIGH STANDARDS FOR EVIDENTIARY RULES MAY NOT ALWAYS HAVE APPLIED. THERE HAVE BEEN NO MASS TRIALS SINCE MID-1975. AND THE DATA CONTAINED IN TABLE II (ABOVE) TEND TO CONFIRM THE GENERAL IMPRESSION THAT THE BACKLOG OF PENDING TRIALS WAS CLEARED UP DURING THE YEAR. IN A NUMBER OF CASES LAWYERS HAD ACCESS TO THEIR CLIENTS EVEN WHEN SUCH ACCESS WAS NOT FORMALLY PROVIDED FOR. IN A CURRENT CASE, EIGHT PERSONS ACCUSED OF NUMEROUS COMMON CRIMES AND ROBBERIES (INCLUDING ONE IN WHICH A BYSTANDER WAS KILLED) AND ALLEGEDLY MEMBERS OF THE TERRORIST MOVEMENT OF THE REVOLUTIONARY LEFT (.84) WERE ARRESTED BY THE PLAINCLOTHED DETECTIVE FORCE AND ARE BEING HELD IN A COMMON JAIL PENDING TRIAL BEFORE A CIVILIAN COURT.

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6. PART IV

B. OTHER IMPORTANT FREEDOMS.

ACTING UNDER SWEEPING AUTHORIZATION TO PROTECT THE NATIONAL SECURITY DURING PERIODS OF EMERGENCY, THE GOVERNMENT HAS CURTAILED SUCH FREEDOMS AS SPEECH, ASSEMBLY AND PRESS, AND EXTENDED (FROM 2 TO 10 DAYS) THE TIME A PERSON MAY BE HELD WITHOUT AUTHORIZATION OF A COURT. COLLECTIVE BARGAINING AND STRIKES ARE PROSCRIBED. ELECTIONS OF ANY KIND ARE PROHIBITED AND, AS OF MARCH 12, 1977, ALL PARTISAN POLITICAL ACTIVITY IS BANNED AND ALL REMAINING POLITICAL PARTIES DISSOLVED, THEIR REAL PROPERTY

DEVVOLVING UPON THE STATE UNLESS OTHERWISE PROVIDED BY THE PARTIES' STATUTES. CONSTITUTIONAL ACT NO. 3 OF SEPTEMBER 1976, DEFINING THE RIGHTS AND DUTIES OF THE CITIZENRY, CONTAINS SOME NEW RIGHTS BUT QUALIFIES AND LIMITS OTHERS THAT WERE PREVIOUSLY INVOLABLE. IN ANY EVENT, EXISTING EMERGENCY POWERS TAKE PRECEDENCE OVER THE ACT IN CASE OF CONFLICT, AND IMPLEMENTING REGULATIONS, AND CHAPTERS ON SUCH RIGHTS AS EDUCATION, HAVE NOT YET BEEN MADE PUBLIC -- THUS THE EVENTUAL PRACTICAL EFFECT OF THE ACT IS NOT YET KNOWN.

THE MEDIA PRACTICE SELF-CENSORSHIP, AND GOVERNMENT OFFICIALS FREQUENTLY BRING TO OFFENDING OUTLETS' ATTENTION EXAMPLES OF OVERSTEPPING THE TACIT NORMS. THE GOVERNMENT USED ITS EMERGENCY AUTHORITY TO CLOSE DOWN INDEFINITELY ONE RADIO STATION IN LATE JANUARY. A MARCH 12, 1977, EDICT REQUIRES PRIOR APPROVAL OF LOCAL ZONE MILITARY COMMANDERS FOR NEW PUBLICATIONS AND THE IMPORTATION OF PRINTED MATTER. A GOC SPOKESMAN REPORTEDLY TOLD MEDIA REPRESENTATIVES IN MARCH 1977 THAT "THE GOVERNMENT HAD NO DESIRE TO PROHIBIT THE CIRCULATION OF NEW PUBLICATIONS WHICH FOLLOW MORAL AND PATRIOTIC PRINCIPLES, AND CONTAIN INFORMATION THAT CONTRIBUTES INTERNALLY OR EXTERNALLY TO THE UNITY AND PRESTIGE OF THE COUNTRY."

THE GOVERNMENT RATIFIED AN ILO CONVENTION PROHIBITING DISCRIMINATION, AND THERE IS NO EVIDENCE OF ANY OFFICIAL DISCRIMINATION IN CHILE BY SEX, RACE OR NATIONAL ORIGIN. THERE ARE NO CONFIDENTIAL

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RESTRICTIONS ON RELIGIOUS TOLERANCE. SUCH FRICTION AS HAS OCCURRED BETWEEN THE CATHOLIC CHURCH AND THE STATE DERIVES FROM DIFFERING INTERPRETATIONS OF THEIR SOCIAL AND POLITICAL POLICY. THE ONLY KNOWN VIOLENT PUBLIC DEMONSTRATION THAT TOOK PLACE IN CHILE DURING THE PAST YEAR, HOWEVER, DID INVOLVE THE STONING OF BISHOPS RETURNING FROM A CONTROVERSIAL MEETING ABROAD. THE GOVERNMENT SAID IT WOULD INVESTIGATE THE PRELATES'S TESTIMONY THAT GOVERNMENT OFFICIALS HAD BEEN IDENTIFIED IN THE HOSTILE CROWD. THE RESULTS OF THIS INQUIRY ARE NOT KNOWN.

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TO SECSTATE WASHDC 4104

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7. PART IV, RESPONDIBILITY FOR HUMAN RIGHTS ABUSES

THERE ARE NO TERRORIST ORGANIZATIONS OF EITHER THE RIGHT OR THE LEFT KNOWN TO BE OPERATING IN CHILE. THE ONCE-POTENT MOVEMENT OF THE REVOLUTIONARY LEFT (MIR) APPEARS TO HAVE BEEN REDUCED TO SPLINTER BANDS LARGELY INVOLVED IN OCCASIONAL CRIMINAL TYPE ROBBERIES; THERE ARE NO "DATH SQUADS," VIRTUALLY NO BOMBINGS, AND NO EVIDENCE OF ORGANIZED VIGILANTE GROUPS OF THE FAR RIGHT. INDEED, ONE OF THE MAJOR CLAIMS OF THE FOVERNMENT IS THAT IT RESTORED DOMESTIC TRANQUILITY FOLLOWING THE TURMOIL OF THE PREVIOUS REGIME.

GOVERNMENT OFFICIALS ACKNOWLEDGE THAT SOME ABUSES MAY HAVE OCCURRED IN THE AFTERMATH OF THE COUP AHD THAT, AS IN ANY LARGE POLICE ORGANIZATION, CERTAIN INDIVIDUALS MAY HAVE EXCEEDED THEIR AUTHORITY AND ABUSED CITIZENS. THESE OFFICIALS STATE EMPHATICALLY THAT THOSE RESPONSIBEL ARE PUNISHED. A YEAR AGO THE GOVERNMENT INDICATED THAT APPROXIMATELY 40 MEMBERS OF THE SECURITY SERVICES HAD BEEN TRIED FOR SUCH VIOLATIONS AND INDICATED THE CRIME AND THE RANKS OF THE OFFENDERS. HOWEVER, TO REDUCE THE POSSIBLITY OF REPRISALS, THE GOVERNMENT WILL NOT MAKE PUBLIC THE NAMES OF THOSE CONVICTED. ACCORDINGLY IT IS NOT POSSIBLE TO DETERMINE IF INDIVIDUALS ASSIGNED TO INTELLIGENCE SERVICES HAVE BEEN INVOLVED IN THESE CASES NOR IF TORTURERS OR THOSE AUTHORIZEING TORUTRE
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HAVE BEEN TRIED.

THE SEVERAL CASES NOW UNDER INVESTIGATION BY CHILEAN JUDGES MAY CAST LIGHT ON ANY POSSIBLE INVOLVEMENT OF THE GOVERNMENT OR ITS SECURITY SERVICES REGARDIDING MISSING PERSONS. SO FAR ONLY IN THE CASE OF CONTRERAS (ABOVE) HAS A COURT CONCLUDED THAT GOVERNMENT AGENTS ILLEGALLY DETAINED A MISSING PERSON.

VIRTUALLY ALL OBSERVERS OF THE CURRENT CHILEAN SCENE ACKNOWWEDGE THAT APPRECIABLE IMPROVEMENT WITH REGARD TO TREATMENT OF INTERNAL SECURITY CASES HAS BEEN REGISTERED SINCE THE NEW YEAR.

8. PART V, OTHER SOURCES OF INFORMATION

THE AD HOC WORKING GROUP OF THE UNITED NATIONS HUMAN RIGHTS COMMISSION PREPARES SEMI-ANNUAL REPORTS ON THE HUMAN RIGHTS

SITUATION IN CHILE. THE WORKING GROUP ACKNOWLEDGES ITS RELIANCE UPON SECONDARY SOURCES OF INFORMATION AND THE POSSIBILITY THAT TIME LAGS AND EXAGGERATION ON THE PART OF PERSONS AND ORGANIZATIONS PROVIDING INFORMATION LEAD TO SOME DISTORTIONS. IT BELIEVES SUCH FAILINGS COULD BEST BE RECTIFIED BY ON-SITE, TIMELY INVESTIGATION AND REGRETS THAT IT HAS NOT BEEN POSSIBLE TO REACH AGREEMENT WITH THE GOVERNMENT FOR SUCH A VISIT. THE GOVERNMENT HAS COOPERATED WITH THE GROUP TO THE EXTENT OF PROVIDING IT WITH REQUESTED INFORMATION BUT BELIEVES IT COULD BE MORE HELPFUL IN CLARIFYING CERTAIN OF THE ALLEGATIONS MADE TO THE GROUP IF IT HAD MORE TIME TO REVIEW THE GROUP'S FINDINGS IN DRAFT FORM.

THE HUMAN RIGHTS COMMISSION OF THE ORGANIZATION OF AMERICAN STATES PREPARES AN ANNUAL REPORT ON HUMAN RIGHTS IN CHILE. ITS REPORT FOR 1976 WAS PRESENTED TO THE GENERAL ASSEMBLY OF THE ORGANIZATION, MEETING AT SANTIAGO IN JUNE 1976. THE FULL TEXT APPEARED IN CHILE PAPERS AT THAT TIME. THE REPORT IS USEFUL.

9. PART VII, USG MEASURES TO ADVANCE HUMAN RIGHTS

THE CHILEAN GOVERNMENT IS WELL AWARE OF THE USG'S CONCERNS REGARDING PROTECTION OF BASIC HUMAN RIGHTS AND OUR INTEREST IN PROMOTING OTHER FREEDOMS. THE VISITS TO CHILE OF THEN SECRETARY WILLIAM SIMON (MAY 1976) AND OF SECRETARY OF STATE KISSINGER (JUNE 1976), THE LATTER IN CONNECTION WITH THE OAS GENERAL ASSEMBLY, CONFIDENTIAL

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PROVIDED AN OPPORTUNITY FOR CABINET MEMBERS TO CONVEY US VIEWS TO SENIOR CHILEAN OFFICIALS. EXCHANGES OF VIEW OCCUR CONTINUALLY BETWEEN CHILEAN OFFICIALS AND EMBASSY PERSONNEL AT SANTIAGO AND US OFFICIALS AND CHILEAN DIPLOMATS IN WASHINGTON, NEW YORK AND GENEVA.

IN JUNE, US SECURITY ASSISTANCE LEGISLATION PRECLUDED NEW MILITARY SALES TO CHILE AS WELL AS ISSUANCE OF MUNITIONS CONTROL EXPORT LICENSES EXCEPT IN PURSUANCE OF AGREEMENTS ALREADY IN EFFECT AS OF JULY 1. THE FOREIGN ASSISTANCE ACT PROVIDED SPECIFICALLY IN THE CASE OF CHILE A \$27.5 MILLION DOLLAR LIMIT ON LOANS, GRANTS AND OPERATIONAL EXPENSES WITH THE POSSIBILITY THAT THE PRESIDENT COULD RECOMMEND DOUBLING THAT AMOUNT SHOULD HE BELIEVE SUBSTANTIAL ADVANCES HAD OCCURRED. IN SEPTEMBER 1976, THE GOVERNMENT OF CHILE INFORMED THE USG THAT IT DID NOT WISH TO BE INCLUDED AMONG THE COUNTRIES FOR WHOM BILATERAL ASSISTANCE WOULD BE REQUESTED FOR FISCAL YEAR 1978.

IN A SHIFT FROM PREVIOUS POLICY, THE USG COSPONSORED A RESOLUTION REGARDING CHILE AT THE MARCH 1977 MEETING OF THE UNITED NATIONS HUMAN RIGHTS COMMISSION. THE USG HAD ABSTAINED ON A SIMILAR RESOLUTION PRESENTED TO THE UN GENERAL ASSEMBLY IN DECEMBER 1976.
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